IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.35521 of 2008

NIRMALA DEVI, W/O SANJAY SAO, R/O VILLAGE-GABRA PAR, P.S. HILSA, DISTRICT-NALANDA.
-PETITIONER

Versus

THE STATE OF BIHAR. -OPP.PARTY

2 18.11.2008 Petitioner claims to be sister-in-law of the deceased who, as per the case diary, died an unnatural death within a period of seven years from the date of her marriage at her matrimonial home. Petitioner claims that she and her family had separated from the family of the deceased. It is the contention of the learned counsel for the petitioner that since general and omnibus allegations have been made against one of the sister-in-laws of the deceased, she has been accorded anticipatory bail by this Court. It has been submitted that since similar general and omnibus allegations have been made against the petitioner, petitioner is also entitled to same treatment. It is true that general and omnibus allegations have been made against the petitioner but the fact remains that in the petition no attempt has been made by the petitioner to show that she was, in fact, living separate from the family of the deceased. In such circumstances, grant of

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anticipatory bail may hamper the investigation, which is at the preliminary stage.

However, inasmuch as anticipatory bail has been accorded to a person similarly situate to that of the petitioner, on condition that the petitioner will attend the Investigating Officer for four weeks on every Friday at 10.30 A.M. and also on the conditions as contained in Sub-section (2) of Section 438 of the Code of Criminal Procedure, I allow the petition of the petitioner to expedite investigation.

Let the petitioner, in the event of her arrest or surrender within six weeks from today, be enlarged on bail on her furnishing bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Hilsa (Nalanda), in Hilsa P.S. Case no. 29 of 2008.

(Barin Ghosh, J.)

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